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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/755,650
Filed: January 5, 2001
Inventor(s):
Brett B. Stewart

Examiner: Myhre, James W.
Group/Art Unit: 2162
Atty. Dkt. No: 5285-00106

Title: Distributed Network System
which Transmits Information
to Users Based on Past
Transactions of the Users

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Jeffrey C. Hood

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Date

Jeffrey C. Hood
Signature

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Attorney Docket No.: 5285-00106/JCH

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Respectfully submitted,

Jeffrey C. Hood

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Meyertons Hood Kivlin Kowert & Goetzel, P.C.

I. REAL PARTY IN INTEREST

The subject application is owned by Wayport, a corporation organized and existing under and by virtue of the laws Delaware, and having its principal place of business at 8303 N. MoPac Expwy., Suite A-300, Austin, Texas 78759, as evidenced by the assignment recorded at Reel 9455, Frame 0964.

II. RELATED APPEALS AND INTERFERENCES

This appeal is not related to any other appeals.

III. STATUS OF CLAIMS

Claims 1-9, 11-13, 15-23, 26-36, 38-42, and 46-71 are pending. Claims 1-9, 11-13, 15-23, 26-36, 38-42, and 46-71 stand finally rejected under 35 U.S.C. 103(a) and are the subject of this appeal. A copy of claims 1-9, 11-13, 15-23, 26-36, 38-42, and 46-71, as on appeal, is included in the Appendix hereto.

IV. STATUS OF AMENDMEMNTS

Appellant is filing an amendment contemporaneously with this appeal brief. This amendment corrects minor typographical errors in claims 42 and 59. For the reasons explained in the Remarks section of that amendment, Appellant believes that this amendment is entitled to entry under the standards set forth in MPEP Section 1207.

V. SUMMARY OF THE INVENTION

The present application describes a system comprising a plurality of wireless access points coupled to a network. When a mobile user (e.g., a user carrying a portable computing device) comes within the range of an access point (AP), the mobile user communicates with the respective wireless access point. When the mobile user passes an access point, the access point receives identification information of the user. The

identification information may then be provided to one or more information providers on the network.

An information provider may maintain a server on the network that uses the identification information to determine one or past transactions of the user, or demographic information of the user, and then may select information content (e.g., advertisements), that is dependent on the past transactions or demographic information of the user. The information provider may also select the information content based on a known geographic location of the mobile user, e.g., a known geographic location of the access point.

The information provider may provide this selected content through the network and the respective access point to the portable computing device of the mobile user. The user's device may also retrieve data (telephone, E-mail messages, etc.) waiting for the user and transmit information (E-mail messages, print documents, requests for information from service providers, etc.) that the user may have for transmission to a desired recipient.

For instance, this process could occur as a user exits an airplane and is detected by an access point in an airport. For example, the user's identification information may be received by the access point, and an information provider may initiate rental car processing based on the user's past rental car transactions. As another example, this process could occur as a user arrives at a hotel and is detected by an access point at the hotel. The user's identification information may be received by the access point, and the hotel may initiate room reservation processing based on the user's past hotel transactions. In addition, an information provider may select advertising content that is targeted to the mobile user based on his/her past transactions or demographic information, and possible also based on the known geographic location of the user.

Thus, information and services can be provided by various providers connected to the network which are able to respond to unanticipated requests or which have acquired knowledge about the user's requirements, preferences and habits over a period of time and have extrapolated information from the user's past practices for probable future actions consistent with these past actions.

VI. ISSUES

I. Whether claims 1-9, 11-13, 15-23, 26-36, 38-42, and 46-71 under 35 U.S.C. § 103 are unpatentable over Rudow et al. (US Patent No. 6,236,360, hereinafter “Rudow”) in view of Lawlor et al. (US Patent No. 6,202,054, hereinafter “Lawlor”).

VII. GROUPING OF CLAIMS

For the purposes of this appeal only:

Claims 1 and 9 stand or fall together.

Claim 2 stands or falls alone.

Claim 3 stands or falls alone.

Claim 4 stands or falls alone.

Claims 5 and 6 stand or fall together.

Claims 7 and 8 stand or fall together.

Claim 12 stands or falls alone.

Claim 13 stands or falls alone.

Claim 15 stands or falls alone.

Claim 16 stands or falls alone.

Claim 17 stands or falls alone.

Claims 18 and 19 stand or fall together.

Claim 20 stands or falls alone.

Claim 21 stands or falls alone.

Claim 22 stands or falls alone.

Claims 23, 34, 35, and 42 stand or fall together.

Claim 26 stands or falls alone.

Claim 27 stands or falls alone.

Claim 28 stands or falls alone.

Claims 29 and 30 stand or fall together.

Claim 31 stands or falls alone.

Claim 32 stands or falls alone.
Claim 33 stands or falls alone.
Claim 36 stands or falls alone.
Claim 38 stands or falls alone.
Claim 39 stands or falls alone.
Claims 40 and 41 stand or fall together.
Claim 42 stands or falls alone.
Claims 46 and 52 stand or fall together.
Claim 47 stands or falls alone.
Claim 48 stands or falls alone.
Claim 49 stands or falls alone.
Claims 50 and 51 stand or fall together.
Claim 53 stands or falls alone.
Claim 54 stands or falls alone.
Claim 55 stands or falls alone.
Claim 56 stands or falls alone.
Claim 57 stands or falls alone.
Claim 58 stands or falls alone.
Claims 59 and 65 stand or fall together.
Claim 60 stands or falls alone.
Claim 61 stands or falls alone.
Claim 62 stands or falls alone.
Claims 63 and 64 stand or fall together.
Claim 66 stands or falls alone.
Claim 67 stands or falls alone.
Claim 68 stands or falls alone.
Claim 69 stands or falls alone.
Claim 70 stands or falls alone.
Claim 71 stands or falls alone.

The reasons why each group of claims is believed to be separately patentable are

explained below in the Argument.

VIII. ARGUMENT

A. Claim 1

Claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Rudow in view of Lawlor. Appellant asserts that the Examiner has not established a case that Rudow in view of Lawlor teaches or suggests a system as described in Appellant's claim 1.

Appellant submits that Rudow in view of Lawlor does not teach or suggest “. . . a plurality of distributed wireless access points coupled to said network, wherein each of said plurality of wireless access points is configured to generate a wireless signal to cause a mobile unit in proximity to the wireless access point to generate a response, wherein each of said plurality of wireless access points is also configured to receive the identification information indicating the user of the mobile unit, wherein, after detection of said mobile unit by a first wireless access point of said plurality of wireless access points in proximity to said mobile unit, and after receipt of the identification information indicating the user of the mobile unit, one or more past transactions of the user of the mobile unit are identified, and said first wireless access point transmits information to said mobile unit that is dependent upon the past transactions of the user of the mobile unit . . . *(emphasis added)*” as recited in pertinent part by claim 1.

The Examiner states in paragraph 6 of the Office Action mailed January 17, 2003: However, while Lawlor discloses that the remote terminal may be used as a regular telephone in addition to the remote banking services, it is not explicitly disclosed that the telephone is a wireless telephone, i.e. cellular phone. The Examiner notes that wireless telephone (cordless phones) have been in use within the United States for several decades at least, and cellular phones have been in use since the early 1990's. Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to use one of the known wireless telephone as the remote terminal which dials into the telephone network in Lawlor. (*emphasis added*)

Appellant agrees with Examiner that the Lawlor teaches that the terminal dials a central processor system over dialup telephone lines for gaining access to services:

Users preferably activate the preferred embodiment terminal by simply turning it on. The terminal automatically dials a central processor system over dialup telephone lines. Users are preferably welcomed in the name of their own bank. They may gain access to services by identifying their account from a menu of authorized household users, then entering their bank ATM personal identification number (PIN). A built-in security device is preferably provided to afford high level security to the user, and the terminal has the capability to transmit encrypted data. (Lawlor col 8, lines 3-12) (*emphasis added*)

Appellant submits that Lawlor teaches that in order for a user to use the terminal to exchange or obtain information, the terminal must first dial into a central system or service provider. Appellant submits that Lawlor discloses and teaches that a terminal [allegedly used to teach the “mobile unit”] initiate contact as first step: “To initiate the terminal session using terminal 54, the user need only depress the power-ON switch of the preferred embodiment. In response to this power-ON switch depression, terminal 54 automatically initializes display 102 and dials an appropriate internally-stored telephone number corresponding to PDN 56 and central computer 52” (Lawlor col 24, line 65 – col 25, line 3) (*emphasis added*). After the terminal contacts the central computer, it then transmits an identification: “In a preferred embodiment, when remote terminal 54 contacts central computer 52, the remote terminal transmits an internally stored identification number which identifies a particular terminal” (Lawlor col 34, lines 60-62) (*emphasis added*).

In contrast, Appellant's invention as recited in claim 1 includes in pertinent part, ". . . each of said plurality of wireless access points is configured to generate a wireless signal to cause a mobile unit in proximity to the wireless access point to generate a response, wherein each of said plurality of wireless access points is also configured to receive the identification information indicating the user of the mobile unit. . . (emphasis added)" Lawlor does not teach, disclose, or suggest this feature.

The Examiner states in paragraph 6 of the Office Action mailed July 10, 2003: "While Rudow discloses that the personalized messages could include advertisements, it is not explicitly disclosed that the advertisements are selected based upon past transactions of the user." Appellant respectfully submits that Rudow does not teach or suggest presenting any information to a golf cart or a mobile unit based on past transactions of the user. Furthermore, Appellant respectfully submits that Rudow does not disclose that personalized messages could include advertisements. "Personal messages may be sent to the selected carts and emergency or other overall messages may be sent system-wide at any time, while "pro tip", advertising or promotional messages may be activated based on the cart's location on the course, such as the time between exiting the green of a hole to entering the tee box of the next hole" (Rudow col 4, lines 30-36) (*emphasis added*). Appellant respectfully submits that the word "while" is used as a conjunction, in Rudow col 4, lines 30-36, which serves to convey that advertising or promotional messages can be based on the cart's location on the course, and separately that personal messages may be sent. Appellant further submits that Rudow clearly teaches the presenting of advertisements to golf carts or mobile units is "based on the cart's location on the course" upon reading Rudow in its entirety. Rudow nowhere teaches or suggests ". . . after receipt of the identification information indicating the user of the mobile unit, one or more past transactions of the user of the mobile unit are identified, and said first wireless access point transmits information to said mobile unit that is dependent upon the past transactions of the user of the mobile unit. . . (emphasis added)" as recited in pertinent part by claim 1. Accordingly, Appellant submits that claim 1 is patentably distinguished over Rudow.

Accordingly, Rudow does not teach or suggest that advertisements or promotions can be included in personalized messages, or that any messages can be based on past transactions of users. Lawlor teaches that the terminal makes initial contact as a first step, and does not teach generating a wireless signal to cause a mobile unit in proximity to the wireless access point to generate a response. Thus, Appellant submits that Rudow and Lawlor, even when combined as proposed by the Examiner, simply do not teach or suggest present claim 1. Appellant submits that claim 1 and those dependent thereon are patentably distinguished over Rudow and Lawlor, taken either singly or in combination.

Furthermore, Appellant respectfully submits that Lawlor is in the field of home banking and financial services. Lawlor states that

The present invention relates to a method and system for distributing financial and other services to remote locations, and more specifically, provides banking type financial transaction handling via remote data terminals located in users' homes, offices or other locations (i.e., "home banking" or "remote banking"). Still more specifically, one aspect of the present invention involves using the ATM (automatic teller machine) network (interchange) as a data communications network for conducting banking financial transactions from homes and offices. (Lawlor col. 1, lines 16-25) (*emphasis added*)

In contrast, the Rudow patent is related to golf and golf courses.

Accordingly, Appellant respectfully submits that a person of ordinary skill in the art at the time of Appellant's invention would not have been aware of or attempted to combine teachings from such dissimilar fields as banking transactions and golf course services. For example, a person of ordinary skill in the art at the time of Appellant's invention would not have turned to non-analogous fields related to financial services or home banking for teaching, suggestion, or motivation for providing personalized messages to golfers.

B. Claim 2

Appellant respectfully submits that Rudow does not teach, suggest, or provide motivation that personalized messages or any messages are based on past transactions of a user. Rudow separately does not provide any teaching, suggestion or motivation to have “the past transactions include one or more of requirements, preferences, and habits of the user (*emphasis added*)” as recited in pertinent part by claim 2. Since there is no teaching, suggestion or motivation for this, Appellant respectfully submits that a *prima facie* case of obviousness is not established to reject claim 2 over Rudow in view of Lawlor. Accordingly, Appellant respectfully submits that claim 2 is allowable.

C. Claim 3

Appellant respectfully submits that Rudow does not teach, suggest, or provide motivation that personalized messages or any messages are based on past transactions of a user. Rudow teaches that knowledge of a course “pro” could be presented to the user: “When the cart is within a predetermined distance of the tee box for play of a hole, the golfer may press a ‘PRO TIP’ button on the console. The system responds with a pop-up window on the display monitor that furnishes a set of recommendations or suggestions for play of that hole provided by the course professional (the course ‘pro’)” (Rudow col 62, lines 3-8) (*emphasis added*). Appellant respectfully submits that Rudow does not even teach or suggest that the base station would extrapolate from a knowledge base or database of anyone or anything to present information to the user. Rudow nowhere teaches, suggests, or provides motivation for “the past transactions include information extrapolated from the user’s past practices which indicates probable future actions consistent with the past practices (*emphasis added*)” as recited in pertinent part by claim 3. Since there is no teaching, suggestion, or motivation for this, Appellant respectfully submits that a *prima facie* case of obviousness is not established to reject claim 3 over Rudow in view of Lawlor. Accordingly, Appellant respectfully submits that claim 3 is allowable.

D. Claim 4

Appellant respectfully submits that Rudow does not teach, suggest, or provide motivation that personalized messages or any messages may be based on the past commercial activities of the user. The Rudow patent does not even appear to provide any personalized messages at all, nor any messages based on past golf activities. Since there is no teaching, suggestion, or motivation to provide messages based on past transactions or past commercial activities of the user, there would also be no motivation to have “the past transactions include past commercial activities of the user (*emphasis added*)” as recited in pertinent part by claim 4. Since there is no motivation for this, Appellant respectfully submits that a *prima facie* case of obviousness is not established to reject claim 4 over Rudow in view of Lawlor. Accordingly, Appellant respectfully submits that claim 4 is allowable.

E. Claims 5 and 6

The Examiner states in paragraph 8 of the Office Action mailed July 10, 2003: “Lawlor discloses that the remote device could be used anywhere that there is telephone service (e.g. cellular telephone aerals). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to locate the access points in any desired area, such as an airport or hotel. . .” (*emphasis added*).

The Examiner states in paragraph 6 of the Office Action mailed January 17, 2003: “The Examiner notes that wireless telephone (cordless phones) have been in use within the United States for several decades at least, and cellular phones have been in use since the early 1990’s. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use one of the known wireless telephone as the remote terminal which dials into the telephone network in Lawlor” (*emphasis added*).

Rudow teaches: “The present invention relates generally to yardage systems and more particularly to a new and improved golf course yardage and information system” (Rudow col 1, lines 9-12) (*emphasis added*). Appellant respectfully submits that Rudow does not teach, suggest, or provide motivation to place a golf course yardage and information system in an airport, hotel, or any other outdoor or indoor facility. Therefore, Appellant submits that claims 5 and 6 are patentably distinguished over Rudow.

Accordingly, Appellant submits that claims 5 and 6 are patentably distinguished over Rudow and Lawlor, taken either singly or in combination.

F. Claims 7 and 8

The cited references do not teach or suggest:

a plurality of information providers coupled to said network, wherein each of said information providers is operable to provide said information through said network and through said first wireless access point to said mobile unit based on the past transactions of the user of the mobile unit.

Appellant submits that modem 48 which is used by the base station [access point] in Rudow is not used for transferring information based on past transactions of a user of a golf cart or mobile unit. Moreover, Appellant respectfully submits that Rudow nowhere teaches or suggests that a user's identification is transferred through modem 48.

Modem 48 allows play speed and other course utilization data and overall system operational data to be downloaded from the computer. The latter data include the status of each cart-based unit 15, such as a need for emergency repair following a breakdown. Similarly, the modem allows data to be loaded into the computer, such advertising matter to be sent to the carts for display. The system may be implemented to allow a PROLINK maintenance provider to call into the system for remote extraction of information concerning system performance history since the last review, and to load new software upgrades into the PROLINK system. The modem may also be used to allow players in other cities or course owners to preview the course on which the system is installed, by observing course features and actual play in progress, in anticipation of playing the course during an upcoming visit. Conventional security measures may be invoked by the user course or by the system supplier to

limit system user access to certain functions and information. (Rudow col. 12, lines 46-63) (*emphasis added*)

The Examiner states in paragraph 12 of the Office Action mailed July 10, 2003: “. . . Lawlor further discloses a plurality of information providers who provide information based on the past transactions of the user (col 17, lines 62-67 and col 18, lines 12-17).”

Although the ATM [automatic teller machine] interchange is ATM oriented, it is able to serve other terminal devices. For example, the ATM interchange communicates with retail POS terminals which can directly debit and credit a customer's bank account in payment for purchases. (Lawlor col 17, lines 62-67)

Appellant respectfully submits that Rudow nowhere teaches or suggests connecting the base station [alleged to teach the access point] to an ATM interchange through modem 48 or any other interface. Moreover, Appellant respectfully submits that Rudow nowhere teaches or suggests that modem 48 or the base station [access point] is operable to exchange information with an ATM interchange or similar system.

Central computer 52 also electronically communicates with additional remote data processing systems such as the Federal Reserve ACH [Automated Clearing House] 72 (e.g., via a Federal Reserve Bank data processing system 74), debit networks 76, wholesalers/remittance processors 78, direct payee computer systems 80, third party information providers 82 and advertisers 84. (Lawlor col 18, lines 12-17)

Appellant respectfully submits that Rudow nowhere teaches or suggests that the base station [access point] is operable to communicate through modem 48 or any other interface with data processing systems such as the Federal Reserve Automated Clearing

House, debit networks, wholesalers/remittance direct payee computer systems, third party information providers and advertisers to retrieve information based on past transactions of a user.

Rudow nowhere teaches or suggests “a plurality of information providers coupled to said network, wherein each of said information providers is operable to provide said information through said network and through said first wireless access point to said mobile unit based on the past transactions of the user of the mobile unit (*emphasis added*)” as recited in pertinent part by claim 7.

Furthermore, Rudow nowhere teaches or suggests “one or more information providers connected to said network, wherein a first information provider of said one or more information providers is operable to receive the identification information indicating the user of the mobile unit, wherein the first information provider is operable to identify the past transactions of the user of the mobile unit and provide said information through said network and through said first wireless access point to said mobile unit, wherein said information is dependent upon the past transactions of the user of the mobile unit (*emphasis added*)” as recited in pertinent part by claim 8.

Accordingly, Appellant respectfully submits that claims 7 and 8 and those dependent thereon are patentably distinguished over Rudow in view of Lawlor.

G. Claim 12

Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Rudow in view of Lawlor. The Examiner states in paragraph 14 of the Office Action mailed July 10, 2003: “. . . Rudow further discloses using the Global Positioning Satellite (GPS) system and local transceivers to determine the exact location of the golf cart (or handheld device) on the golf course and transmit information (such as distance to the hole, recommended golf club to use, etc.) to the golfer based on the location of the golf

cart [mobile unit or portable computing device], such as advertisements and personal messages” (*emphasis added*).

Appellant respectfully submits that Rudow does not teach, suggest, or provide motivation that personalized messages or any messages are based on past transactions of users.

Furthermore, Rudow nowhere teaches or suggests “the plurality of wireless access points are arranged at known locations in a geographic region” as recited in pertinent part by claim 12.

Still further, Rudow nowhere teaches or suggests that the “information is further dependent on a known location of said first wireless access point [base station or repeater] (*emphasis added*)” as recited in pertinent part by claim 12. Thus, Appellant respectfully submits that claim 12 is patentably distinguished over Rudow.

Modifying the teachings of Lawlor to connect a terminal from Lawlor to a cellular phone would imply that the cellular phone tower would become the access point. However, “. . .this proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, and thus the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti* , 270 F.2d 810, 123 USPQ 349 (CCPA 1959)” as stated in the MPEP §2143.01 (*emphasis added*). Consequently, Appellant respectfully submits that claim 12 is patentably distinguished over Lawlor.

Accordingly, Appellant respectfully submits that claim 12 is patentably distinguished over Rudow and Lawlor, taken either singly or in combination. Appellant respectfully submits that claim 12 is allowable under 35 U.S.C. 103.

H. Claim 13

Claim 13 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Rudow in view of Lawlor. Appellant asserts that the Examiner has not established a case that Rudow and Lawlor, taken either singly or in combination, teach a system as described in Appellant’s claim 13.

Appellant submits that claim 13 is allowable at least based on the arguments made with respect to claim 1 above.

Furthermore, Rudow nowhere teaches or suggests “. . .at least one information provider coupled to the network. . .” as recited in pertinent part by claim 13 and “wherein the at least one information provider identifies past transactions of the user of the mobile unit, where the at least one information provider provides information through said network and through said first wireless access point to said mobile unit, wherein the at least one information provider provides said information dependent upon the past transactions of the user of the mobile unit, wherein the first wireless access point transmits the information to the mobile unit in a wireless fashion (*emphasis added*)” as further recited in pertinent part by claim 13.

Appellant submits that any interface which is used by the base station [access point] in Rudow is not used for transferring information based on past transactions of a user of a golf cart or mobile unit. Moreover, Appellant respectfully submits that Rudow nowhere teaches or suggests that a user’s identification is transferred through modem 48.

The Examiner states in paragraph 12 of the Office Action mailed July 10, 2003: “. . .Lawlor further discloses a plurality of information providers who provide information based on the past transactions of the user (col 17, lines 62-67 and col 18, lines 12-17).”

Although the ATM [automatic teller machine] interchange is ATM oriented, it is able to serve other terminal devices. For example, the ATM interchange communicates with retail POS terminals which can directly debit and credit a customer's bank account in payment for purchases.
(Lawlor col 17, lines 62-67)

Appellant respectfully submits that Rudow nowhere teaches or suggests connecting the base station [access point] to an ATM interchange through modem 48 or any other interface. Moreover, Appellant respectfully submits that Rudow nowhere

teaches or suggests that modem 48 or the base station [access point] is operable to be exchange information with an ATM interchange or similar system.

Central computer 52 also electronically communicates with additional remote data processing systems such as the Federal Reserve ACH [Automated Clearing House] 72 (e.g., via a Federal Reserve Bank data processing system 74), debit networks 76, wholesalers/remittance processors 78, direct payee computer systems 80, third party information providers 82 and advertisers 84. (Lawlor col 18, lines 12-17)

Appellant respectfully submits that Rudow nowhere teaches or suggests that the base station [alleged to teach the access point] is operable to communicate through modem 48 or any other interface with data processing systems such as the Federal Reserve Automated Clearing House, debit networks, wholesalers/remittance direct payee computer systems, third party information providers and advertisers to retrieve information based on past transactions of a user.

I. Claim 15

Appellant respectfully submits that claim 15 is allowable based on the arguments presented above for claim 13 and claim 2.

J. Claim 16

Appellant respectfully submits that claim 16 is allowable based on the arguments presented above for claim 13 and claim 3.

K. Claim 17

Appellant respectfully submits that claim 17 is allowable based on the arguments presented above for claim 13 and claim 4.

L. Claims 18 and 19

Appellant respectfully submits that claims 18 and 19 are allowable based on the arguments presented above for claim 13 and claims 5 and 6.

M. Claim 20

Rudow and/or Lawlor nowhere teach or suggest that the “information comprises travel itinerary information. (*emphasis added*)” as recited in pertinent part by claim 20. Accordingly, Appellant respectfully submits that claim 20 is patentably distinguished over Rudow and Lawlor, taken either singly or in combination.

N. Claim 21

Appellant respectfully submits that Rudow nowhere discloses, teaches, or suggests that “. . . promotions are based upon the past transactions of the user of the mobile unit (*emphasis added*)” as disclosed in pertinent part by claim 21, but instead, Rudow teaches promotions are system-wide with every golf cart of mobile unit receiving the same promotions. Moreover, Appellant respectfully submits that Rudow nowhere teaches, discloses, or suggests that promotions are included in any personalized message. “An ancillary feature of the PROLINK system is its capability to display personal messages to a golfer at a selected cart, as well as to provide informative tips (“pro tips”) at specific holes, and system-wide advertising and promotional messages” (Rudow col 4, lines 20-24) (*emphasis added*).

Accordingly, since Rudow provides no teaching, suggestion, or motivation to include a promotion in a personalized message and provides no motivation to base the promotion on past transactions of the user, Appellant respectfully submits that a *prima facie* case of obviousness has not been established to reject claim 21 as being unpatentable over Rudo in view of Lawlor. Appellant respectfully submits that claim 21 is allowable under 35 U.S.C 103.

O. Claim 22

Appellant respectfully submits that Rudow nowhere teaches, discloses, or suggests that “advertising is based upon the past transactions of the user of the mobile

unit (*emphasis added*)” as recited in pertinent part by claim 22, but instead, Rudow teaches that advertisements are system-wide with every golf cart of mobile unit receiving the same advertisements. Furthermore, Appellant respectfully submits that Rudow nowhere teaches, discloses, or suggests that advertisements even can be included in any personalized message. “An ancillary feature of the PROLINK system is its capability to display personal messages to a golfer at a selected cart, as well as to provide informative tips (“pro tips”) at specific holes, and system-wide advertising and promotional messages” (Rudow col 4, lines 20-24) (*emphasis added*).

Accordingly, since Rudow provides no motivation to include an advertisement in a personalized message and provides no teaching, suggestion or motivation to base the advertisement on past transactions of the user, Appellant respectfully submits that a *prima facie* case of obviousness has not been established to reject claim 22 as being unpatentable over Rudow in view of Lawlor. Appellant respectfully submits that claim 22 is allowable under 35 U.S.C 103.

P. Claim 23

Claim 23 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Rudow in view of Lawlor. Appellant asserts that the Examiner has not established a case that Rudow in view of Lawlor teach or suggest a method as described in Appellant’s claim 23.

Appellant submits claim 23 is allowable at least based on the arguments made with respect to claim 1. In addition, Appellant submits that Lawlor and/or Rudow does not teach or suggest “. . .a wireless access point scanning its coverage area to cause a portable computing device in proximity to the wireless access point to generate a response. . .(*emphasis added*)” as recited in pertinent part by claim 23. Lawlor and/or Rudow does not teach, disclose or suggest this feature.

The Examiner states in paragraph 6 of the Office Action mailed January 17, 2003: However, while Lawlor discloses that the remote terminal may be used as a regular telephone in addition to the remote banking services, it is not

explicitly disclosed that the telephone is a wireless telephone, i.e. cellular phone. The Examiner notes that wireless telephone (cordless phones) have been in use within the United States for several decades at least, and cellular phones have been in use since the early 1990's. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use one of the known wireless telephone as the remote terminal which dials into the telephone network in Lawlor. (*emphasis added*)

Appellant agrees with Examiner that the Lawlor teaches that the terminal dials a central processor system over dialup telephone lines for gaining access to services:

Users preferably activate the preferred embodiment terminal by simply turning it on. The terminal automatically dials a central processor system over dialup telephone lines. Users are preferably welcomed in the name of their own bank. They may gain access to services by identifying their account from a menu of authorized household users, then entering their bank ATM personal identification number (PIN). A built-in security device is preferably provided to afford high level security to the user, and the terminal has the capability to transmit encrypted data. (Lawlor col 8, lines 3-12) (*emphasis added*)

Q. Claim 26

Appellant respectfully submits that claim 26 is allowable based on the arguments presented above for claim 23 and claim 2.

R. Claim 27

Appellant respectfully submits that claim 27 is allowable based on the arguments presented above for claim 23 and claim 3.

S. Claim 28

Appellant respectfully submits that claim 26 is allowable based on the arguments presented above for claim 23 and claim 4.

T. Claims 29 and 30

Appellant respectfully submits that claims 29 and 30 are allowable based on the arguments presented above for claim 23 and claims 5 and 6.

U. Claim 31

Appellant respectfully submits that Rudow and/or Lawlor does not teach, suggest, or provide motivation that “the information provider transmits said information in response to said inquiry (*emphasis added*)” as recited in pertinent part by claim 31. Since there is no motivation for this, Appellant respectfully submits that a *prima facie* case of obviousness is not established to reject claim 31 over Rudow in view of Lawlor. Accordingly, Appellant respectfully submits that claim 31 is allowable under 35 U.S.C. 103.

V. Claim 32

Appellant respectfully submits that Rudow does not teach, suggest, or provide motivation that the base station or an information provider determines if service is required when a message is sent to the base station. Rudow discloses that the golfer can request:

- 30_{hex} golfer request - send refreshment cart
- 31_{hex} golfer request - send ranger
- 32_{hex} golfer request - send extra balls
- 33_{hex} golfer request - send medical assistance
- 34_{hex} golfer request - Cart disabled...send another cart
- 35_{hex} golfer request - Send a cellular telephone
- 36_{hex} golfer request - "Yes" response to any base question

37_{hex} golfer request - "No" response to any base question (Rudow col 43, lines 23-29)

Thus, Rudow teaches that a golfer can make a request, but does not teach that an information provider will determine if service is required.

Appellant also respectfully submits that Rudow does not teach “the information provider initiating provision of said service in response to the information provider determining that a service is required. (*emphasis added*)” as recited in pertinent part by claim 32. Since there is no teaching or suggestion regarding this, Appellant respectfully submits that a *prima facie* case of obviousness is not established to reject claim 32 over Rudow in view of Lawlor. Accordingly, Appellant respectfully submits that claim 32 is allowable under 35 U.S.C. 103.

W. Claim 33

Appellant respectfully submits that claim 33 is allowable based on the arguments presented above for claim 23 and claim 20.

X. Claim 36

Claim 36 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Rudow in view of Lawlor. Appellant asserts that the Examiner has not established a *prima facie* case of obviousness that Rudow in view of Lawlor teach or suggest a method as described in Appellant’s claim 36.

Applicant submits that claim 36 is allowable based on the arguments made above with respect to claim 23. In addition, Appellant respectfully submits that Rudow nowhere teaches, discloses, or suggests that advertisements even can be included in any personalized message. “An ancillary feature of the PROLINK system is its capability to display personal messages to a golfer at a selected cart, as well as to provide informative tips (“pro tips”) at specific holes, and system-wide advertising and promotional messages” (Rudow col 4, lines 20-24) (*emphasis added*). Appellant submits that Rudow

teaches, discloses, and suggests that advertisements are separate from personal messages: “Advertising and promotional messages, such as the day's lunch special, sports scores, identity of a golfer who hit the longest drive in a scramble, and personal messages may be sent to the carts” (Rudow col 10, lines 41-47) (*emphasis added*).

Furthermore, Appellant submits that Rudow nowhere teaches or suggests “. . . determining past transactions of a user of the mobile unit. . . .(*emphasis added*)” as recited in pertinent part by claim 36. Moreover, Rudow nowhere teaches or suggests “. . . the wireless access point transmitting advertising information to the mobile unit in response to said detecting, wherein the advertising information is dependent upon the past transactions of the user of the mobile unit. . . .(*emphasis added*)” as further recited in pertinent part by claim 36.

Accordingly, since Rudow provides no motivation to include an advertisement in a personalized message and since Rudow provides no motivation to determine past transactions of a user, Appellant respectfully submits that a *prima facie* case of obviousness has not been established to reject claim 36 as being unpatentable over Rudow in view of Lawlor. Accordingly, Appellant respectfully submits that claim 36 is allowable under 35 U.S.C 103.

Y. Claim 38

Claim 38 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Rudow in view of Lawlor. Appellant asserts that the Examiner has not established a *prima facie* case of obviousness that Rudow in view of Lawlor teach or suggest a method as described in Appellant's claim 38.

Appellant respectfully submits that Rudow nowhere teaches, discloses, or suggests that advertisements even can be included in any personalized message. “An ancillary feature of the PROLINK system is its capability to display personal messages to a golfer at a selected cart, as well as to provide informative tips ("pro tips") at specific holes, and system-wide advertising and promotional messages” (Rudow col 4, lines 20-24) (*emphasis added*). Appellant submits that Rudow teaches, discloses, and suggests that advertisements are separate from personal messages: “Advertising and promotional

messages, such as the day's lunch special, sports scores, identity of a golfer who hit the longest drive in a scramble, and personal messages may be sent to the carts” (Rudow col 10, lines 41-47) (*emphasis added*).

Furthermore, Rudow nowhere teaches or suggests “. . . the provider transmitting advertising information to the mobile unit, wherein the advertising information is dependent upon the past transactions of the user of the mobile unit, wherein at least a portion of said transmitting is performed by the wireless access point in a wireless fashion (*emphasis added*)” as recited in pertinent part by claim 38.

Accordingly, since Rudow provides no teaching, suggestion or motivation to include an advertisement in a personalized message and since Rudow provides no motivation to base the advertising information on past transactions of a user, Appellant respectfully submits that a *prima facie* case of obviousness has not been established to reject claim 38 as being unpatentable over Rudo in view of Lawlor. Accordingly, Appellant respectfully submits that claim 38 is allowable under 35 U.S.C 103.

Z. Claim 39

Appellant submits that claim 39 is allowable based on the arguments made above with respect to claims 1 and 23.

In addition, Appellant submits that neither Rudow or Lawlor teach or suggest “. . . a plurality of wireless access points coupled to said network and distributed in a region, wherein each of said plurality of wireless access points is configured to scan its coverage area to cause a portable computing device within the coverage area to generate a response, wherein, after detection of said mobile unit by a first wireless access point in proximity to said mobile unit, information is transmitted to a first service provider, said information including identification information indicating the user of the mobile unit. . . . (*emphasis added*)” as recited in pertinent part by claim 39.

Rudow and/or Lawlor do not operate to provide any service in response to “detection of the mobile unit”.

AA. Claims 40 and 41

Appellant respectfully submits that Rudow nowhere teaches, discloses, or suggests that a golfer or user is able to send information to “. . . a rental car agency, wherein, in response to said information, said rental car agency is operable to begin processing a rental car transaction to have a rental car ready for arrival of the user. . . *(emphasis added)*” as recited in pertinent part by claim 40.

Moreover, in a similar fashion, Appellant respectfully submits that Rudow nowhere teaches, discloses, or suggests that a golfer or user is able to send information to “. . . a hotel, wherein, in response to said information, said hotel is operable to begin processing a room reservation to have a room ready for the user. . . *(emphasis added)*” as recited in pertinent part by claim 41.

Accordingly, since Rudow provides no motivation that would allow information from a user to be sent to a rental car agency or a hotel, Appellant respectfully submits that a *prima facie* case of obviousness has not been established to reject claims 40 and 41 as being unpatentable over Rudo in view of Lawlor. Appellant respectfully submits that claims 40 and 41 are allowable under 35 U.S.C 103.

Rudow only discloses that the golfer can request:

- 30_{hex} golfer request - send refreshment cart
- 31_{hex} golfer request - send ranger
- 32_{hex} golfer request - send extra balls
- 33_{hex} golfer request - send medical assistance
- 34_{hex} golfer request - Cart disabled...send another cart
- 35_{hex} golfer request - Send a cellular telephone
- 36_{hex} golfer request - "Yes" response to any base question
- 37_{hex} golfer request - "No" response to any base question (Rudow col 43, lines 23-29)

AB. Claim 46

Claim 46 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Rudow in view of Lawlor. Appellant asserts that the Examiner has not established a case

that Rudow in view of Lawlor teach or suggest a system as described in Appellant's claim 46.

Appellant submits that claim 46 is allowable based on the arguments made above with respect to claims 1 and 23. In addition, Appellant submits that Rudow in view of Lawlor does not teach or suggest “. . . a plurality of wireless access points located in the airport terminal and coupled to said network, wherein each of said plurality of wireless access points is configured to communicate with said mobile unit, wherein each of said plurality of wireless access points is also configured to receive the identification information indicating the user of the mobile unit, wherein, after receipt of the identification information indicating the user of the mobile unit by a first wireless access point of said plurality of wireless access points in proximity to said mobile unit, and after one or more past transactions of the user of the mobile unit are identified, said first wireless access point transmits information to said mobile unit that is dependent upon the past transactions of the user of the mobile unit, wherein the first wireless access point transmits the information to the mobile unit. . .*(emphasis added)*” as recited in pertinent part by claim 46.

AC. Claim 47

Appellant respectfully submits that claim 47 is allowable based on the arguments presented above for claim 46 and claim 2.

AD. Claim 48

Appellant respectfully submits that claim 48 is allowable based on the arguments presented above for claim 46 and claim 3.

AE. Claim 49

Appellant respectfully submits that claim 49 is allowable based on the arguments presented above for claim 46 and claim 4.

AF. Claims 50 and 51

Appellant respectfully submits that claims 50 and 51 are allowable based on the arguments presented above for claim 46 and claim 7.

AG. Claim 53

The Examiner states in paragraph 18 of the Office Action mailed July 10, 2003: “. . . Rudow also discloses maintaining information pertaining to the topography of the network (i.e. location of access points/repeaters)” (*emphasis added*). Appellant respectfully submits that Rudow teaches and discloses the use of repeaters. “If the golf course is sufficiently hilly or has other obstructions to line-of-sight (LOS) communication between carts and the base station, RF reflectors, diffractors, or repeaters may be employed to alleviate the problem” (Rudow col 11, line 66 – col 12, line 2) (*emphasis added*). Appellant respectfully submits that neither Rudow or Lawlor nowhere disclose, teach, or suggest a system “. . . comprising a management information base for storing at least one of a topology of the network, a directory of elements coupled to the network, characteristics of individual ones of said elements, characteristics of connection links, and performance and trend statistics of the network (*emphasis added*)” as recited in pertinent part by claim 53. Accordingly, Appellant respectfully submits that claim 53 is patentably distinguished over Rudow and Lawlor, either taken singly or in combination.

AH. Claim 54

Appellant respectfully submits that claim 54 is allowable based on the arguments presented above for claim 46 and claim 11.

AI. Claim 55

Appellant respectfully submits that claim 55 is allowable based on the arguments presented above for claim 46 and claim 12.

AJ. Claim 56

Appellant respectfully submits that Rudow and/or Lawlor do not teach or suggest that “the past transactions comprise past rental car transactions of the user (*emphasis*

added)” as recited in pertinent part by claim 56. Since there is no teaching, suggestion, or motivation for this, Appellant respectfully submits that a *prima facie* case of obviousness is not established to reject claim 56 over Rudow in view of Lawlor. Accordingly, Appellant respectfully submits that claim 56 is allowable.

AK. Claim 57

Appellant respectfully submits that claim 57 is allowable based on the arguments presented above for claim 46 and claim 23.

AL. Claim 58

Appellant submits that claim 58 is allowable based on the arguments made above with respect to claims 1, 23 and 46.

AM. Claim 59

Claim 59 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Rudow in view of Lawlor. Appellant asserts that the Examiner has not established a case that Rudow in view of Lawlor teach or suggest a system as described in Appellant’s claim 59.

Appellant submits that claim 59 is allowable based on the arguments made above with respect to claims 1 and 23. In addition, Appellant submits that Rudow in view of Lawlor does not teach or suggest “. . . a plurality of wireless access points located in the hotel and coupled to said network, wherein each of said plurality of wireless access points is configured to communicate with said mobile unit, wherein each of said plurality of wireless access points is also configured to receive the identification information indicating the user of the mobile unit, wherein, after receipt of the identification information indicating the user of the mobile unit by a first wireless access point of said plurality of wireless access points in proximity to said mobile unit, and after one or more past transactions of the user of the mobile unit are identified, said first wireless access point transmits information to said mobile unit that is dependent upon the past transactions of the user of the mobile unit, wherein the first wireless access point

transmits the information to the mobile unit. . .*(emphasis added)*” as recited in pertinent part by claim 59.

AN. Claim 60

Appellant respectfully submits that claim 60 is allowable based on the arguments presented above for claim 59 and claim 2.

AO. Claim 61

Appellant respectfully submits that claim 61 is allowable based on the arguments presented above for claim 59 and claim 3.

AP. Claim 62

Appellant respectfully submits that claim 62 is allowable based on the arguments presented above for claim 59 and claim 4.

AQ. Claims 63 and 64

Appellant respectfully submits that claims 63 and 64 are allowable based on the arguments presented above for claim 59 and claim 7.

AR. Claim 66

The Examiner states in paragraph 18 of the Office Action mailed July 10, 2003: “. . . Rudow also discloses maintaining information pertaining to the topography of the network (i.e. location of access points/repeaters)” *(emphasis added)*. Appellant respectfully submits that Rudow teaches and discloses the use of repeaters. “If the golf course is sufficiently hilly or has other obstructions to line-of-sight (LOS) communication between carts and the base station, RF reflectors, diffractors, or repeaters may be employed to alleviate the problem” (Rudow col 11, line 66 – col 12, line 2) *(emphasis added)*. Appellant respectfully submits that neither Rudow or Lawlor nowhere disclose, teach, or suggest a system “. . . comprising a management information base for storing at least one of a topology of the network, a directory of elements coupled to the network,

characteristics of individual ones of said elements, characteristics of connection links, and performance and trend statistics of the network (*emphasis added*)” as recited in pertinent part by claim 66. Accordingly, Appellant respectfully submits that claim 66 is patentably distinguished over Rudow and Lawlor, either taken singly or in combination.

AS. Claim 67

Appellant respectfully submits that claim 67 is allowable based on the arguments presented above for claim 59 and claim 11.

AT. Claim 68

Appellant respectfully submits that claim 68 is allowable based on the arguments presented above for claim 59 and claim 12.

AU. Claim 69

Appellant respectfully submits that claim 69 is allowable based on the arguments presented above for claim 59 and claim 56.

AV. Claim 70

Appellant respectfully submits that claim 70 is allowable based on the arguments presented above for claim 59 and claim 23.

AW. Claim 71

Appellant submits that claim 71 is allowable based on the arguments made above with respect to claims 1, 23 and 59.

IX. CONCLUSION

For the foregoing reasons, it is submitted that the Examiner's rejection of claims 1-9, 11-13, 15-23, 26-36, 38-42, and 46-71 was erroneous, and reversal of the Examiner's decision is respectfully requested.

This Appeal Brief is submitted in triplicate along with the following items:

- ☒ Return Receipt Postcard
- ☒ Deposit Account Fee Authorization form for the \$165.00 appeal brief fee.
- ☒ Deposit Account Fee Authorization form for the \$55.00 extension of time fee.

Respectfully submitted,



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X. APPENDIX A

The claims on appeal are as follows.

1. (Previously Presented) A distributed communications service system, comprising:

a mobile unit carried by a user, wherein said mobile unit is configured to transmit identification information indicating a user of the mobile unit, wherein the mobile unit transmits the identification information in a wireless fashion;

a network;

a plurality of distributed wireless access points coupled to said network, wherein each of said plurality of wireless access points is configured to generate a wireless signal to cause a mobile unit in proximity to the wireless access point to generate a response, wherein each of said plurality of wireless access points is also configured to receive the identification information indicating the user of the mobile unit, wherein, after detection of said mobile unit by a first wireless access point of said plurality of wireless access points in proximity to said mobile unit, and after receipt of the identification information indicating the user of the mobile unit, one or more past transactions of the user of the mobile unit are identified, and said first wireless access point transmits information to said mobile unit that is dependent upon the past transactions of the user of the mobile unit, wherein the first wireless access point transmits the information to the mobile unit in a wireless fashion.

2. (Original) The distributed communications service system of claim 1, wherein the past transactions include one or more of requirements, preferences, and habits of the user.

3. (Original) The distributed communications service system of claim 1, wherein the past transactions include information extrapolated from the user's past practices which indicates probable future actions consistent with the past practices.

4. (Original) The distributed communications service system of claim 1, wherein the past transactions include past commercial activities of the user.

5. (Previously Presented) The distributed communications service system of claim 1, wherein the plurality of wireless access points are located in an airport.

6. (Previously Presented) The distributed communications service system of claim 1, wherein the plurality of wireless access points are located in a hotel.

7. (Previously Presented) The distributed communications service system of claim 1, further comprising:

a plurality of information providers coupled to said network, wherein each of said information providers is operable to provide said information through said network and through said first wireless access point to said mobile unit based on the past transactions of the user of the mobile unit.

8. (Previously Presented) The distributed communications service system of claim 1, further comprising:

one or more information providers connected to said network, wherein a first information provider of said one or more information providers is operable to receive the identification information indicating the user of the mobile unit, wherein the first information provider is operable to identify the past transactions of the user of the mobile unit and provide said information through said network and through said first wireless access point to said mobile unit, wherein said information is dependent upon the past transactions of the user of the mobile unit.

9. (Original) The distributed communications service system of claim 8, wherein said one or more information providers include one or more of car rental agencies, hotels,

restaurants, airline reservation centers, banks, taxi services, and bus and train reservation offices.

11. (Previously Presented) The distributed communications service system of claim 1, wherein said information is further dependent on a current known location of the mobile unit.

12. (Previously Presented) The distributed communications service system of claim 1, wherein the plurality of wireless access points are arranged at known locations in a geographic region;

wherein said information is further dependent on a known location of said first wireless access point.

13. (Previously Presented) A distributed communications service system, comprising:

a mobile unit carried by a user, wherein said mobile unit is configured to transmit identification information indicating a user of the mobile unit, wherein the mobile unit transmits the identification information in a wireless fashion;

a network;

at least one information provider coupled to the network;

a plurality of wireless access points coupled to said network and distributed in a region, wherein each of said plurality of wireless access points is configured to generate a wireless signal to cause a mobile unit in proximity to the wireless access point to generate a response, wherein each of said plurality of wireless access points is also configured to receive the identification information indicating the user of the mobile unit, wherein, after detection of said mobile unit by a first wireless access point of said plurality of wireless access points in proximity to said mobile unit, and after receipt of the identification information indicating the user of the mobile unit, the identification information indicating the user of the mobile unit is transmitted to the at least one information provider;

wherein the at least one information provider identifies past transactions of the user of the mobile unit, where the at least one information provider provides information through said network and through said first wireless access point to said mobile unit, wherein the at least one information provider provides said information dependent upon the past transactions of the user of the mobile unit, wherein the first wireless access point transmits the information to the mobile unit in a wireless fashion.

14. (Cancelled)

15. (Original) The distributed communications service system of claim 13, wherein the past transactions include one or more of requirements, preferences, and habits of the user.

16. (Original) The distributed communications service system of claim 13, wherein the past transactions include information extrapolated from the user's past practices which indicates probable future actions consistent with the past practices.

17. (Original) The distributed communications service system of claim 13, wherein the past transactions include past commercial activities of the user.

18. (Original) The distributed communications service system of claim 13, wherein the plurality of access points are located in an airport.

19. (Original) The distributed communications service system of claim 13, wherein the plurality of access points are located in a hotel.

20. (Original) The distributed communications service system of claim 13, wherein said information comprises travel itinerary information.

21. (Original) The distributed communications service system of claim 13, wherein said information comprises promotions related to goods or services;

wherein said promotions are based upon the past transactions of the user of the mobile unit.

22. (Original) The distributed communications service system of claim 13, wherein said information comprises advertising related to goods or services;

wherein said advertising is based upon the past transactions of the user of the mobile unit.

23. (Previously Presented) A method of using wireless network access points (APs) to service mobile users who are in a vicinity of the APs, the method comprising the steps of:

(a) a wireless access point scanning its coverage area to cause a portable computing device in proximity to the wireless access point to generate a response, wherein said scanning comprises detecting the presence of a portable computing device in the vicinity of one of said APs, wherein the portable computing device is carried by a user, wherein said scanning and said detecting are performed in a wireless manner;

(b) providing identification information indicating the user of the portable computing device to said one of said APs in response to said detecting, wherein said providing is performed in a wireless manner;

(c) an information provider accessing past transaction information indicative of the past transactions of the user associated with said identification information;

(d) the information provider transmitting information to the portable computing device through said one of said APs, wherein a content of the information is dependent upon the past transactions of the user of the portable computing device, wherein said one of said APs provides the information to the portable computing device in a wireless fashion.

24. (Cancelled)

25. (Cancelled)

26. (Original) The method of claim 23, wherein the past transactions include one or more of requirements, preferences, and habits of the user.

27. (Original) The method of claim 23, wherein the past transactions include information extrapolated from the user's past practices which indicate probable future actions consistent with the past practices.

28. (Original) The method of claim 23, wherein the past transactions include past commercial activities of the user.

29. (Previously Presented) The method of claim 23, wherein the plurality of APs are located in an airport.

30. (Previously Presented) The method of claim 23, wherein the plurality of APs are located in a hotel.

31. (Previously Presented) The method of claim 23, further comprising:
the portable computing device transmitting an inquiry requiring a response to said one of said APs;

wherein the information provider transmits said information in response to said inquiry.

32. (Original) The method of claim 23, further comprising:
the portable computing device transmitting a message indicating presence of said mobile unit within an area monitored by said one of said APs;

the information provider determining if a service is required upon detection of said message; and

the information provider initiating provision of said service in response to the information provider determining that a service is required.

33. (Original) The method of claim 23, wherein said information comprises travel itinerary information.

34. (Original) The method of claim 23, wherein said information comprises promotion information.

35. (Original) The method of claim 23, wherein said information comprises advertising information.

36. (Previously Presented) A method of providing advertising to users of mobile units, the method comprising:

- a wireless access point scanning its coverage area to cause a portable computing device in proximity to the wireless access point to generate a response;

- the wireless access point detecting the presence of a mobile unit in the vicinity of the wireless access point, wherein the mobile unit is carried by a user;

- determining past transactions of a user of the mobile unit;

- the wireless access point transmitting advertising information to the mobile unit in response to said detecting, wherein the advertising information is dependent upon the past transactions of the user of the mobile unit, wherein at least a portion of said transmitting is performed by the wireless access point in a wireless fashion.

37. (Cancelled)

38. (Previously Presented) A method of providing advertising to users of mobile units, the method comprising:

- a wireless access point scanning its coverage area to cause a mobile unit in proximity to the wireless access point to generate a response;

detecting the presence of a mobile unit in the vicinity of the wireless access point, wherein the mobile unit is carried by a user;

providing past transactions of a user of the mobile unit to a provider in response to said detecting;

the provider transmitting advertising information to the mobile unit, wherein the advertising information is dependent upon the past transactions of the user of the mobile unit, wherein at least a portion of said transmitting is performed by the wireless access point in a wireless fashion.

39. (Previously Presented) A distributed communications service system, comprising:

a mobile unit, wherein said mobile unit is configured to transmit identification information indicating a user of the mobile unit, wherein the mobile unit is carried by a user;

a network;

one or more service providers coupled to the network; and

a plurality of wireless access points coupled to said network and distributed in a region, wherein each of said plurality of wireless access points is configured to scan its coverage area to cause a portable computing device within the coverage area to generate a response, wherein, after detection of said mobile unit by a first wireless access point in proximity to said mobile unit, information is transmitted to a first service provider, said information including identification information indicating the user of the mobile unit;

wherein said first service provider is operable to perform a service in response to said information, wherein said service is performed based on the past transactions of the user of the mobile unit.

40. (Original) The distributed communications service system of claim 39, wherein the first service provider is a rental car agency, wherein, in response to said information, said rental car agency is operable to begin processing a rental car transaction to have a rental car ready for arrival of the user of the mobile unit.

41. (Previously Presented) The distributed communications service system of claim 39, wherein the service provider is a hotel, wherein, in response to said information, said hotel is operable to begin processing a room reservation to have a room ready for the user of the mobile unit.

42. (Currently Amended) A distributed communications service system, comprising:

a plurality of wireless access points operable to be coupled to a network and distributed in a region, wherein each of the plurality of wireless access points is configured to scan its coverage area to cause a mobile unit within its coverage area to generate a response ~~detect a mobile unit~~ in a wireless fashion, wherein each of the plurality of wireless access points is also configured to receive identification information indicating a user of the mobile unit, wherein, after detection of said mobile unit by a first wireless access point of the plurality of access points in proximity to the mobile unit, and after receipt of the identification information indicating the user of the mobile unit, the first wireless access point transmits information to the mobile unit in a wireless fashion, wherein the information is dependent upon past transactions of the user of the mobile unit.

43. (Canceled)

44. (Canceled)

45. (Canceled)

46. (Previously Presented) An airport terminal based communications service system, comprising:

a mobile unit carried by a user in the airport terminal, wherein said mobile unit is configured to transmit identification information indicating a user of the mobile unit, wherein the mobile unit transmits the identification information in a wireless fashion;

a network located in the airport terminal;

a plurality of wireless access points located in the airport terminal and coupled to said network, wherein each of said plurality of wireless access points is configured to communicate with said mobile unit, wherein each of said plurality of wireless access points is also configured to receive the identification information indicating the user of the mobile unit, wherein, after receipt of the identification information indicating the user of the mobile unit by a first wireless access point of said plurality of wireless access points in proximity to said mobile unit, and after one or more past transactions of the user of the mobile unit are identified, said first wireless access point transmits information to said mobile unit that is dependent upon the past transactions of the user of the mobile unit, wherein the first wireless access point transmits the information to the mobile unit in a wireless fashion.

47. (Previously Presented) The airport terminal based communications service system of claim 46, wherein the past transactions include one or more of requirements, preferences, and habits of the user.

48. (Previously Presented) The airport terminal based communications service system of claim 46, wherein the past transactions include information extrapolated from the user's past practices which indicates probable future actions consistent with the past practices.

49. (Previously Presented) The airport terminal based communications service system of claim 46, wherein the past transactions include past commercial activities of the user.

50. (Previously Presented) The airport terminal based communications service system of claim 46, further comprising:

a plurality of information providers coupled to said network, wherein each of said information providers is operable to provide said information through said network and through said first wireless access point to said mobile unit based on the past transactions of the user of the mobile unit.

51. (Previously Presented) The airport terminal based communications service system of claim 46, further comprising:

one or more information providers connected to said network, wherein a first information provider of said one or more information providers is operable to receive the identification information indicating the user of the mobile unit, wherein the first information provider is operable to identify the past transactions of the user of the mobile unit and provide said information through said network and through said first wireless access point to said mobile unit, wherein said information is dependent upon the past transactions of the user of the mobile unit.

52. (Previously Presented) The airport terminal based communications service system of claim 51, wherein said one or more information providers include one or more of car rental agencies, hotels, restaurants, airline reservation centers, banks, taxi services, and bus and train reservation offices.

53. (Previously Presented) The airport terminal based communications service system of claim 51, further comprising a management information base for storing at least one of a topology of the network, a directory of elements coupled to the network, characteristics of individual ones of said elements, characteristics of connection links, and performance and trend statistics of the network.

54. (Previously Presented) The airport terminal based communications service system of claim 46, wherein said information is further dependent on a current known location of the mobile unit.

55. (Previously Presented) The airport terminal based communications service system of claim 46, wherein the plurality of wireless access points are arranged at known locations in a geographic region;

wherein said information is further dependent on a known location of said first wireless access point.

56. (Previously Presented) The airport terminal based communications service system of claim 46, wherein the past transactions comprise past rental car transactions of the user.

57. (Previously Presented) The airport terminal based communications service system of claim 46, wherein the wireless access point operates to scan its coverage area to cause a mobile unit in proximity to the wireless access point to generate a response.

58. (Previously Presented) An airport terminal based communications service system, comprising:

a mobile unit carried by a user, wherein said mobile unit is configured to transmit identification information indicating a user of the mobile unit, wherein the mobile unit transmits the identification information in a wireless fashion;

a network;

at least one information provider coupled to the network;

a plurality of wireless access points located in the airport terminal and coupled to said network, wherein the plurality of wireless access points are distributed in the airport terminal, wherein each of said plurality of wireless access points is configured to communicate with said mobile unit, wherein each of said plurality of wireless access points is also configured to receive the identification information indicating the user of

the mobile unit, wherein, after detection of said mobile unit by a first wireless access point of said plurality of wireless access points in proximity to said mobile unit, and after receipt of the identification information indicating the user of the mobile unit, the identification information indicating the user of the mobile unit is transmitted to the at least one information provider;

wherein the at least one information provider identifies past transactions of the user of the mobile unit, where the at least one information provider provides information through said network and through said first wireless access point to said mobile unit, wherein the at least one information provider provides said information dependent upon the past transactions of the user of the mobile unit, wherein the first wireless access point transmits the information to the mobile unit in a wireless fashion.

59. (Currently Amended) A hotel based communications service system, comprising:

a mobile unit carried by a user in the ~~airport terminal~~ hotel, wherein said mobile unit is configured to transmit identification information indicating a user of the mobile unit, wherein the mobile unit transmits the identification information in a wireless fashion;

a network located in the hotel;

a plurality of wireless access points located in the hotel and coupled to said network, wherein each of said plurality of wireless access points is configured to communicate with said mobile unit, wherein each of said plurality of wireless access points is also configured to receive the identification information indicating the user of the mobile unit, wherein, after receipt of the identification information indicating the user of the mobile unit by a first wireless access point of said plurality of wireless access points in proximity to said mobile unit, and after one or more past transactions of the user of the mobile unit are identified, said first wireless access point transmits information to said mobile unit that is dependent upon the past transactions of the user of the mobile unit, wherein the first wireless access point transmits the information to the mobile unit in a wireless fashion.

60. (Previously Presented) The hotel based communications service system of claim 59, wherein the past transactions include one or more of requirements, preferences, and habits of the user.

61. (Previously Presented) The hotel based communications service system of claim 59, wherein the past transactions include information extrapolated from the user's past practices which indicates probable future actions consistent with the past practices.

62. (Previously Presented) The hotel based communications service system of claim 59, wherein the past transactions include past commercial activities of the user.

63. (Previously Presented) The hotel based communications service system of claim 59, further comprising:

a plurality of information providers coupled to said network, wherein each of said information providers is operable to provide said information through said network and through said first wireless access point to said mobile unit based on the past transactions of the user of the mobile unit.

64. (Previously Presented) The hotel based communications service system of claim 59, further comprising:

one or more information providers connected to said network, wherein a first information provider of said one or more information providers is operable to receive the identification information indicating the user of the mobile unit, wherein the first information provider is operable to identify the past transactions of the user of the mobile unit and provide said information through said network and through said first wireless access point to said mobile unit, wherein said information is dependent upon the past transactions of the user of the mobile unit.

65. (Previously Presented) The hotel based communications service system of claim 64, wherein said one or more information providers include one or more of car rental agencies, hotels, restaurants, airline reservation centers, banks, taxi services, and bus and train reservation offices.

66. (Previously Presented) The hotel based communications service system of claim 64, further comprising a management information base for storing at least one of a topology of the network, a directory of elements coupled to the network, characteristics of individual ones of said elements, characteristics of connection links, and performance and trend statistics of the network.

67. (Previously Presented) The hotel based communications service system of claim 59, wherein said information is further dependent on a current known location of the mobile unit.

68. (Previously Presented) The hotel based communications service system of claim 59, wherein the plurality of wireless access points are arranged at known locations in a geographic region;

wherein said information is further dependent on a known location of said first wireless access point.

69. (Previously Presented) The hotel based communications service system of claim 59, wherein the past transactions comprise past rental car transactions of the user.

70. (Previously Presented) The airport terminal based communications service system of claim 46, wherein the wireless access point operates to scan its coverage area to cause a mobile unit in proximity to the wireless access point to generate a response.

71. (Previously Presented) A hotel based communications service system, comprising:

a mobile unit carried by a user, wherein said mobile unit is configured to transmit identification information indicating a user of the mobile unit, wherein the mobile unit transmits the identification information in a wireless fashion;

a network;

at least one information provider coupled to the network;

a plurality of wireless access points located in the hotel and coupled to said network, wherein the plurality of wireless access points are distributed in the hotel, wherein each of said plurality of wireless access points is configured to communicate with said mobile unit, wherein each of said plurality of wireless access points is also configured to receive the identification information indicating the user of the mobile unit, wherein, after detection of said mobile unit by a first wireless access point of said plurality of wireless access points in proximity to said mobile unit, and after receipt of the identification information indicating the user of the mobile unit, the identification information indicating the user of the mobile unit is transmitted to the at least one information provider;

wherein the at least one information provider identifies past transactions of the user of the mobile unit, where the at least one information provider provides information through said network and through said first wireless access point to said mobile unit, wherein the at least one information provider provides said information dependent upon the past transactions of the user of the mobile unit, wherein the first wireless access point transmits the information to the mobile unit in a wireless fashion.